

AMENDED IN ASSEMBLY APRIL 28, 2005

AMENDED IN ASSEMBLY APRIL 25, 2005

AMENDED IN ASSEMBLY APRIL 18, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1548

Introduced by Assembly Member Pavley

February 22, 2005

~~An act to add Section 6024.5 to the Food and Agricultural Code, relating to rodenticide.~~ *An act to add Sections 60063 and 60064 to the Education Code, relating to instructional materials.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1548, as amended, Pavley. ~~Rodenticides: anticoagulants.~~ *Instructional materials: electronic format.*

Existing law requires the State Board of Education to adopt basic instructional materials for use in kindergarten and grades 1 to 8, inclusive, as specified. Other existing law requires the governing board of each school district maintaining one or more high schools to adopt instructional materials for use in the high schools under its control.

This bill, except as specified, would require a publisher that makes basic instructional materials available to a school district in a hard copy format to also make instructional materials available in an electronic multimedia format upon adoption of instructional materials after January 1, 2006, by the state board or by the governing board of a school district that maintains a high school. The bill would make these requirements operative January 1, 2007. The bill would provide that a school district that purchases instructional material in an

electronic multimedia format pursuant to the bill shall comply with specified law governing instructional materials.

The bill would require an individual, firm, partnership, or corporation that publishes or manufactures printed basic instructional materials adopted by the state board for kindergarten and grades 1 to 8, inclusive, or basic instructional materials adopted by the governing board of a school district for grades 9 to 12, inclusive, to make an electronic file format of the materials available for use by a pupil who is blind or who has a print disability, as specified.

~~Existing law generally directs the Department of Food and Agriculture and County Agricultural Commissioners to cooperate relative to suppression of rodents carrying diseases injurious to humans.~~

~~This bill would require the Department of Pesticide Regulation to conduct research, and compile the findings of that research into a report, on the affects of anticoagulant chemicals contained in rodenticide on wildlife. This bill would require this report to be presented to the Legislature on or before November 30, 2006.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes-no~~. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. It is the intent of the Legislature that*
- 2 *instructional materials that are made available by publishers in*
- 3 *an electronic multimedia format maintain the look of the*
- 4 *hardcopy version of the text. It is further the intent of the*
- 5 *Legislature that any visual attributes including, but not limited*
- 6 *to, pictures and graphs, that are contained in the hardcopy*
- 7 *version of the instructional materials be included in the*
- 8 *electronic multimedia version of the materials on the same page.*
- 9 *SEC. 2. Section 60063 is added to the Education Code, to*
- 10 *read:*
- 11 *60063. (a) Upon adoption by the state board of basic*
- 12 *instructional materials for use in kindergarten and grades 1 to 8,*
- 13 *inclusive, a publisher that makes the instructional materials*
- 14 *available to a school district in a hard copy format shall also*
- 15 *make the instructional materials available for purchase by a*
- 16 *school district in an electronic multimedia format.*

1 (b) Upon adoption of basic instructional materials for use in
2 grades 9 to 12, inclusive, by the governing board of a school
3 district that maintains a high school, a publisher that makes the
4 instructional materials available to a school district in a hard
5 copy format shall also make the instructional materials available
6 for purchase by the school district in an electronic multimedia
7 format.

8 (c) This section applies to a publisher only if the owner of the
9 copyright for the instructional materials grants to the publisher
10 the electronic reproduction rights for those materials.

11 (d) A school district that purchases instructional material in
12 an electronic multimedia format pursuant to this section shall
13 comply with the instructional materials requirements of this part
14 pertaining to that particular instructional material.

15 (e) This section applies only to basic instructional materials
16 for kindergarten and grades 1 to 8, inclusive, that are adopted by
17 the state board on or after January 1, 2006, and to basic
18 instructional materials for grades 9 to 12, inclusive, that are
19 adopted by the governing board of a school district on or after
20 January 1, 2006.

21 (f) This section is operative January 1, 2007.

22 SEC. 3. Section 60064 is added to the Education Code , to
23 read:

24 60064. (a) Commencing on January 1, 2008, an individual,
25 firm, partnership, or corporation that publishes or manufactures
26 printed basic instructional materials adopted by the state board
27 for kindergarten and grades 1 to 8, inclusive, or that publishes or
28 manufactures printed basic instructional materials adopted by
29 the governing board of a school district for grades 9 to 12,
30 inclusive, shall make available for purchase, upon request of a
31 school district, an electronic file format of the materials for use
32 by a pupil who is blind or who has a print disability as described
33 in Section 135a of Title 2 of the United States Code.

34 (b) The electronic file shall be in a format consistent with the
35 National Instructional Materials Accessibility Standard
36 developed by the United States Department of Education.

37 ~~SECTION 1. Section 6024.5 is added to the Food and~~
38 ~~Agricultural Code, to read:~~

39 ~~6024.5. (a) The Department of Pesticide Regulation shall~~
40 ~~conduct research, and compile the findings of that research into a~~

1 ~~report, on the affects of anticoagulant chemicals contained in~~
2 ~~rodenteides on wildlife. This report shall be presented to the~~
3 ~~Legislature, in the most cost-effective manner available to the~~
4 ~~department, on or before November 30, 2006.~~

5 ~~(b) The report shall include an overview of solutions that are~~
6 ~~available at the state and local levels to mitigate the impacts of~~
7 ~~anticoagulant chemicals contained in rodenteides on wildlife.~~

8 ~~(c) The department may engage the assistance and support of~~
9 ~~the United States Environmental Protection Agency, the United~~
10 ~~States Fish and Wildlife Service, the National Park Service, and~~
11 ~~the Department of Fish and Game, and may consult any relevant~~
12 ~~sources to collect data relating to the impacts of anticoagulants~~
13 ~~on wildlife.~~